



---

west virginia department of environmental protection

---

Division of Air Quality  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304-2345  
Phone: 304 926 0475 • Fax: 304 926 0479

Jim Justice, Governor  
Austin Caperton, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

**MEMORANDUM**

**To:** File

**From:** Beverly McKeone, NSR Program Manager *BM*

**Date:** May 2, 2017

**Subject:** PD17-026, Tian Excavating and Contracting, LLC

In May of 2005 TIAN Reclamation and Contracting, Inc. submitted a permit determination (PD05-050) for a BL Pegson Metrotrak 24 x 36 Crusher. It was determined that the proposed equipment would need a permit.

Tian asked the DAQ to revisit this decision and provided more specific information. This was logged as PD05-064. The additional information showed that the proposed crusher had a maximum capacity of 135 tons per hour and its emissions would not exceed the permitting thresholds of 6 lb/hr and 10 tons/year. The source is not subject to NSPS Subpart OOO.

At that time (2005) the source was not given a facility ID. When TIAN submitted a new permit determination in January of 2017, for the exact same equipment, the previous determinations were not reviewed. The new permit determination PD17-004 was given a permit needed decision as the proposed emissions would exceed the 6lb/hr and 10 TPY thresholds.

TIAN again asked the DAQ to review this decision. The New PD17-026 consisted of reviewing the information provided in PD17-004 and the discovery and review of PD05-050 and PD05-064.

Review of PD17-004 showed that haulroad emissions were included by the DAQ permit writer in his determination of the sources potential to emit. Haulroads are excluded for the PTE when determining if a source is subject to permitting.

Review of the potential emissions for the BL Pegson Metrotrak 24 x 36 crusher show the source will not have potential emissions exceeding the 6lb/hr and 10 TPY and is not subject to NSPS OOO. The proposed equipment is the exact same equipment that was given a "no permit needed" decision in 2005.

The source is a portable source that can be moved anywhere in the state for operation without an air quality permit. As such all four permit determinations have been given the facility ID number 777-00146. If TIAN uses the equipment alone, it does not require an air quality permit. If the crusher will be used with other equipment, such as a screen, then the permit determination would have to be revisited.